

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT  
OF PENNSYLVANIA

In Re:	)	
	)	BANKRUPTCY NO. 20-10469-TPA
CLAIR L. DUMOND and	)	
BRENDA L. DUMOND,	)	
	)	CHAPTER 13
Debtors.	)	

CONSENT ORDER REGARDING OBJECTIONS TO CONFIRMATION

WHEREAS, the Chapter 13 Trustee stated an objection to plan confirmation on October 6, 2020, Doc. No. 23, based upon good faith and best efforts with expenses for a second property which Debtor Brenda L. Dumond owns with another party appearing in Schedule J with no payment to unsecured, nonpriority creditors appearing in the plan;

WHEREAS, Creditor U.S. National Association, as Trustee filed an objection to plan confirmation on October 12, 2020, Doc. No. 24, related to underpayment of the mortgage as specified in Claim 9. Debtors Clair L. Dumond and Brenda L. Dumond intend to undergo loss mitigation. U.S. National Bank Association, as Trustee and Debtors have agreed that the mortgage payment shall be \$675.88 though loss mitigation. Debtors believe that loss mitigation will be completed in 90 days.

WHEREAS, Debtors contend that the plan would not be feasible with maintenance costs for the second property included in Schedule J and a substantial payment to the unsecured nonpriority creditors in the plan if loss mitigation is not successful.

WHEREFORE, it is hereby ORDERED that Court shall issue a confirmation order of Debtors' Chapter 13 reorganization plan dated August 4, 2020, Doc. No. 23 containing the following language: (1) The plan term is extended to 52 months; (2) Claim 9 shall be paid at \$675.88 monthly with no arrearages pending the results of loss mitigation; (3) Debtor's counsel is entitled to the \$1,000.00 No-Look LMP fee after the final LM report is filed; (4) Confirmation is subject to avoidance of the Beneficial Mortgage lien; (5) the secured/priority claim of Auto Divide for a 2019 Kia Sportage and of OneMain Financial Group Claim 2 for a 1999 Ford 250 are not to be paid as the collateral/leased property is deemed surrendered in Part 3.5 of the plan; (6) objections to good faith, best efforts, and underpayment of Claim 9 are preserved; (7) Debtors shall file an amended Schedule J and amended plan on or before January 12, 2021; and (8) Debtors shall file an amended plan to cure the mortgage arrearages and pay the current mortgage payment if loss mitigation is unsuccessful.

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THOMAS P. AGRESTI,  
U.S. District Court Bankruptcy Judge

Consented to by:

/s/ Glenn R. Bartifay  
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